

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TIFFANY RECINOS,

Plaintiff,

v.

BOARD OF INDUSTRIAL INSURANCE  
APPEALS, and JUDGE TIMOTHY L.  
WAKENSHAW,

Defendants.

Case No. C23-05473RSM

ORDER DENYING MOTION FOR  
RECONSIDERATION

This matter comes before the Court on Plaintiff Tiffany Recinos's Motion for Reconsideration. Dkt. #37. On June 26, 2023, the Court dismissed this case for lack of subject matter jurisdiction and under 28 U.S.C. § 1915(e)(2)(B). Dkt. #36. The instant Motion was filed later that same day. Plaintiff's Motion argues only "[t]oday June 26, 2023 this case was dismissed and closed, per RCW 34.05.470 the plaintiff submits a petition for reconsideration to reopen the claim and complete the requested Mandamus Discretionary Review on the Board of Industrial Insurance Appeals." Dkt. #37 at 1. Plaintiff then quotes RCW 34.05.470. No further argument or analysis is offered.

"Motions for reconsideration are disfavored." LCR 7(h)(1). "The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a

1 showing of new facts or legal authority which could not have been brought to its attention  
2 earlier with reasonable diligence.” *Id.* “The motion shall point out with specificity the matters  
3 which the movant believes were overlooked or misapprehended by the court, any new matters  
4 being brought to the court’s attention for the first time, and the particular modifications being  
5 sought in the court’s prior ruling.” LCR 7(h)(2).  
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7 RCW 34.05.470 is a Washington State statute within the “Adjudicative Procedures”  
8 part of the state’s Administrative Procedure Act. It applies to state agencies and does not apply  
9 in U.S. District Court. Plaintiff has failed to show manifest error in this Court’s prior ruling or  
10 new facts or legal authority. This Court lacks subject matter jurisdiction over Plaintiff’s claims.  
11 Accordingly, the instant motion is properly denied.  
12

13 Having reviewed the relevant briefing and the remainder of the record, the Court hereby  
14 finds and ORDERS that Plaintiff Tiffany Recinos’s Motion for Reconsideration, Dkt. #37, is  
15 DENIED. This case remains closed. No further filings will be entertained in this case.  
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17 DATED this 27<sup>th</sup> day of June, 2023.  
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21 RICARDO S. MARTINEZ  
22 UNITED STATES DISTRICT JUDGE  
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